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Admitted: OH, NY

December 21, 2019

Hon. Frederic Block
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Pasik v. Boon Technologies, LLC et al, Case No. 19-2357-FB-JO

Dear Judge Block:

Undersigned is counsel to plaintiff. This letter responds to Attorney Kwasniewski's letter of December 20, 2019 regarding a briefing schedule for defendants' forthcoming motion to dismiss. (Dkt. No. 31)

Mr. Kwasniewski may have forgotten that the parties did in fact agree on a briefing schedule proposed by Mr. Kwasniewski on December 5, 2019, to wit:

Defendants' opening brief: January 17, 2020
Plaintiff's opposition brief: February 7, 2020
Defendants' reply brief: February 28, 2020

I am attaching Mr. Kwasniewski's email to me of December 5th; Further, on December 14, 2019 I wrote to Mr. Kwasniewski:

I am not willing to change the agreed briefing schedule for the motion to dismiss. We allowed defendants every prerogative--e.g. awaiting the conclusion of the holidays to commence briefing, accepting 3 weeks to oppose, and affording Defendants 3 weeks to reply--as to that briefing schedule and came to an agreement. We stand by our agreement and expect Defendants to do so as well.

Mr. Kwasniewski never suggested to me the schedule he is now asking the Court to order.

I regret that this matter has been raised before the Court. Frankly, I don't understand it.

Undersigned is available to discuss this letter, should Your Honor deem such discussion advisable, at the Court's convenience.

Respectfully yours,

/s/ Mark Schlachet

cc: All Counsel (ECF)